

***A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS  
HELD SEPTEMBER 20, 1999 AT 9:30 A.M. IN WARRENTON, VIRGINIA***

P R E S E N T     Mr. Larry L. Weeks, Chairman; Mr. Joe Winkelmann, Vice Chairman; Mr.  
                         Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum; Mr. G.  
                         Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

**ADOPTION OF THE AGENDA**

Mr. Winkelmann moved to adopt the Agenda. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote:        None***

***Abstention: None***

**CITIZENS TIME**

Russell Teel welcomed Mr. Winkelmann back after recuperating from surgery.

**CONSENT AGENDA**

Mr. Winkelmann moved to adopt the following Consent Agenda items. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

*Ayes:* ***Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

*Nays:* ***None***

*Absent During Vote:* ***None***

*Abstention:* ***None***

**Approval of the Minutes of the July 6, 1999 and August 2, 1999 Regular Meetings**

A Resolution to Authorize the County Administrator to Sign a Contract with Crenshaw Construction Company, Inc. in the Amount of \$183,000 to Renovate and Upgrade the HVAC System in the Warren Green Building

RESOLUTION

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO SIGN A CONTRACT FOR HVAC IMPROVEMENTS TO THE  
WARREN GREEN BUILDING WITH CRENSHAW CONSTRUCTION  
COMPANY, INC. IN THE AMOUNT OF \$183,000.

WHEREAS, requirements for this project were advertised and publicly posted in accordance with the County Procurement Policy; and

WHEREAS, four bids were received in response to the solicitation; and

WHEREAS, the bid submitted from Crenshaw Construction Company, Inc. was determined to be the lowest responsive and responsible bidder; and

WHEREAS, the County Procurement Policy specifies that no contract for a Capital Improvement Project that exceeds \$100,000 shall be awarded without the concurrence of the Fauquier County Board of Supervisors or School Board as applicable; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20<sup>th</sup> day of September 1999, That the Board of Supervisors does hereby authorize the County Administrator to sign a contract for HVAC system upgrades and improvements with Crenshaw Construction Company, Inc., in the amount of \$183,000.

FY 2000 Budget Transfers and Supplemental Appropriations in the Amount of \$1,177,289

## RESOLUTION

### A RESOLUTION TO TRANSFER & APPROPRIATE FUNDS

IN THE AMOUNT OF \$1,177,289

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the operation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, funds needed to increase a department's budget must come from internal adjustments or from an outside source such as State, Federal, grant or other local sources such as the County's Reserve for Contingency; and

WHEREAS, the Sheriff's Office has requested the appropriation of \$24,497 in State revenue from the State Compensation Board for office equipment; and

WHEREAS, the Office of Management and Budget requested the re-appropriation of \$85,540 for FY 1999 School Division and County purchases not received until FY 2000 from prior year fund balance; and

WHEREAS, the School Division requested appropriation of \$1,235 for the Gifted/Talented Summer Program from Other Revenue, \$553,456 for Special Education VI-B for school buses and other related special education costs from federal funding, \$300,000 for textbook replacement and

\$58,000 to equip and train Middle School Community Resource Officers from the fund balance; and

WHEREAS, Community Development requested appropriation of \$70,000 for Telecommunications Professional Services from building permits, plat and site plan fees; and

WHEREAS, Social Services requested appropriation of \$39,100 for the Five County Planning Welfare to Work Grant from federal funding and \$5,000 for Adult Protective Services from State funding; and

WHEREAS, Fauquier County Healthy Families requested appropriation of \$33,863 for the Healthy Families Fauquier Program from prior year fund balance; and

WHEREAS, the Treasurer's Office requested appropriation of \$6,598 for FY 2000 PM Collection Program from prior year fund balance; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of September 1999, That the sum of \$1,177,289 be carried over, transferred or appropriated, and hereby approved as follows:

<b>FROM</b>				<b>TO</b>	
<b>Source</b>	<b>Code</b>	<b>Amount</b>	<b>Department</b>	<b>Code</b>	<b>Amount</b>
<b>FY2000</b>					
State Funds	3-100-230000-0020	\$24,497	Sheriff's Office	4-100-31200-8201	\$24,497
Prior Year Fund Balance	3-100-419000-0010	\$85,540	O.M.B.	4-100-12440-3500	\$3,720
				4-100-12210-8207	\$10,086
					\$1,250
				4-205-061100-3114-200-002-000	\$3,209

				4-205-061325-3310-200-001-000	\$3,859
				4-205-061100-8200-300-007-000	\$1,239
				4-205-061310-6013-300-001-000	\$1,513
				4-205-061310-6013-300-001-000	\$540
				4-205-061410-3310-306-001-000	\$2,525
				4-205-062120-3124-900-000-000	\$822
				4-205-061100-5509-300-005-490	\$3,029
				4-205-061100-6013-200-001-000	\$5,567
				4-205-061100-6016-200-001-000	\$3,537
				4-205-061100-6026-300-005-490	\$44,644
				4-205-064100-9999-900-000	
Other Revenue	3-205-189913-0001	\$1,235	School Division	4-205-061100-1121-004-300-000	\$1,132
				4-205-061100-2100-004-300-000	\$94
				4-205-061100-2710-004-300-000	\$9

Federal Funds	3-205-332000-0017	\$553,456	School Division	4-205-061100-8200-300-005-450	\$388,137
				4-205-061100-6013-300-005-450	\$165,319
Fund Balance	3-100-419000-0010	\$300,000	School Division	4-302-94620-8208	\$300,000
Fund Balance	3-100-419000-0010	\$58,000	School Division	4-302-80301-8200	\$58,000
Fees:					
Building Permit	3-100-133000-0008	\$53,682	Community Development	4-100-81200-3160	\$70,000
Plat/Site Plan	3-100-133000-0043	\$16,318			
Federal Funds	3-100-335000-0030	\$39,100	Social Services	4-100-053110-3161	\$31,100
				4-100-053110-5530	\$4,000
				4-100-053110-5210	\$4,000
State Funds	3-100-241000-0050	\$5,000	Social Services	4-100-053130-5719	\$5,000
Prior Year Fund Balance	3-100-419000-0010	\$33,863	Fauquier County Healthy Families	4-100-81600-5695	\$33,863

Prior Year Fund Balance	3-100-419000-0010	\$6,598	Treasurer's Office	4-100-12420- 1302	\$6,100
					\$467
				4-100-12420- 2100	\$31
				4-100-12420- 5230	
<b>TOTAL</b>		<b>\$1,177,289</b>			<b>\$1,177,289</b>



A Resolution to Cancel the November 1, 1999 Meeting of the Fauquier County Board of Supervisors

## RESOLUTION

### A RESOLUTION TO CANCEL THE NOVEMBER 1, 1999 MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS

Be It Resolved by the Fauquier County Board of Supervisors this 20<sup>th</sup> day of September 1999, That the November 1, 1999 regularly scheduled meeting of the Fauquier County Board of Supervisors be, and is hereby, canceled; and, be it

Resolved Further, That notice of this cancellation shall be posted at the Fauquier County Courthouse and the Warren Green Building, as well as advertised in the Fauquier Times Democrat and The Citizen.

A Resolution to Authorize a Public Hearing to Consider Applying for a Virginia Resources Authority Loan to Provide Sewer Service to the New Baltimore Service District

## RESOLUTION

### A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER APPLYING TO THE VIRGINIA RESOURCES AUTHORITY FOR A LOAN TO PROVIDE FOR SEWER INFRASTRUCTURE IN THE NEW BALTIMORE SERVICE DISTRICT

WHEREAS, the Fauquier County Board of Supervisors adopted the revised Comprehensive Plan for the New Baltimore Service District on August 2, 1999; and

WHEREAS, the Fauquier County Water and Sanitation Authority will take ownership and operate the wastewater treatment plant at Vint Hill, which has a treatment capacity of 246,000 gallons per day, expandable to 999,999 gallons per day; and

WHEREAS, Fauquier County plans to request a \$2.8 million loan from the Virginia Resources Authority for the provision of sewer infrastructure in the New Baltimore Service District; and

WHEREAS, loan repayment will be made from the combined revenues of availability fees and interest income; and

WHEREAS, the Fauquier County Board of Supervisors will create a utility fund with an initial balance of \$4.8 million to fund any shortfall in revenues and eliminate risk to Fauquier County taxpayers; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20<sup>th</sup> day of September 1999, That the County Administrator be, and is hereby, authorized to advertise a public hearing to consider applying to the Virginia Resources Authority for a loan in the amount of \$2.8 million for the provision of sewer infrastructure for the New Baltimore Service District.

## **COMPREHENSIVE PLAN AMENDMENT AND REZONING REQUEST – LEON ZEIGER**

A public hearing was held at the October 20, 1998 meeting to consider a request from Leon Zeiger to amend the Comprehensive Plan for the Opal Service District to re-designate a total of 60 acres, a 27 acre parcel and 33 acres of a 298.7 acre parcel from Planned Commercial Industrial Development (PCID) to Commercial Shopping Center; and to rezone a total of 92 acres, consisting of 19.7 acres from Rural Agriculture to Commercial Highway, 41.5 acres from Rural Agriculture to Commercial Shopping Center Community/Regional, and 30.8 acres from Rural Agriculture to Industrial Park. The property is located on the west side of Route 15/29 (James Madison Highway) at the south end of the Service District, Lee District. At its March 16, 1999 meeting, the Board tabled action on this request for six months. Mr. Mangum moved to table the decision for an additional six months until the March 20, 2000 meeting. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

*Ayes:* ***Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

*Nays:* ***None***

*Absent During Vote:* ***None***

*Abstention:* ***None***

## **APPOINTMENTS**

By unanimous consent, the following appointments were made:

Priscilla Washington reappointed to the Fauquier Community Action Committee for a term to expire December 31, 1999

Joe Winkelmann to the Social Services Board for a term to expire June 30, 2003.

John Coleman reappointed to the Parks and Recreation Board for a term to expire September 14, 2002.

## **SUPERVISORS TIME**

- Mr. Burton asked for Board support in requesting the Planning Commission to make recommendations on a Comprehensive Plan amendment and rezoning for property owned by Steve L. Curtis in Goldvein. The Board agreed to consider a resolution at the October 4, 1999 meeting.
- Mr. Burton informed the Board that he had visited the site of the proposed racetrack at the Fauquier/Prince William County boundary. Mr. Burton asked Randy Hodgson to give a report on the Racing Commission public hearing.
- Mr. Green said that he had attended the Route 50 Coalition meeting on Sunday evening and that the Coalition would have its next meeting on September 27.
- Mr. Weeks said that he was interested in updating the Zoning Ordinance in order to allow the use of electric fencing in R-1 zoning in particular cases.

## **EXECUTIVE SESSION**

Mr. Burton asked that he be excused from consideration of the executive session matter.

Mr. Mangum moved to go into executive session pursuant to Virginia Code Section 2.1-344 (A)(1) for discussion of personnel matters. Mr. Winkelmann seconded, and the vote for the motion was 4 to 0 as follows.

**Ayes:** *Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. James R. Green, Jr.; Mr. David C. Mangum*

**Nays:** *None*

**Absent During Vote:** *None*

**Abstention:** *Mr. Wilbur W. Burton*

Upon reconvening from executive session, Mr. Mangum moved to adopt the following certification. Mr. Winkelmann seconded.

#### CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 20<sup>th</sup> day of September 1999, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

VOTE:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: Mr. Wilbur W. Burton

Absent During Meeting: None

A RESOLUTION TO AUTHORIZE STATE FUNDED INCREASES TO TWO EMPLOYEES OF THE COMMONWEALTH'S ATTORNEY'S OFFICE

Mr. Winkelmann moved to adopt the following resolution and to submit the two positions in the Commonwealth's Attorney's Office to the consultants immediately for review and consideration for reclassification. Mr. Green seconded, and the vote for the motion was 4 to 0 as follows:

*Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. James R. Green, Jr.; Mr. David C. Mangum*

*Nays: None*

*Absent During Vote: Mr. Wilbur W. Burton*

*Abstention: None*

RESOLUTION

A RESOLUTION TO LIMIT THE AMOUNT OF COMPENSATION  
INCREASE FOR CERTAIN STAFF IN THE COMMONWEALTH'S  
ATTORNEY OFFICE DUE TO A PRIOR INCREASE

WHEREAS, the Commonwealth's Attorney requested that the Commonwealth of Virginia's Compensation Board review the positions of Secretary and Attorney II in Fauquier County; and

WHEREAS, the Compensation Board determined that the Secretary position should be reclassified to an Administrative Assistant II; and

WHEREAS, the Compensation Board determined that the Attorney II position should be reclassified to an Attorney IV; and

WHEREAS, the Compensation Board approved these reclassifications effective May 1, 1999; and

WHEREAS, Fauquier County will receive additional revenue relating to the approved State reclassifications; and

WHEREAS, the increase in revenue was conveyed to the incumbents in the State's reclassified positions in contrast to prior practice; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of September 1999, That the incumbents in these positions, having already received increases in excess of the approved FY 2000 budget compensation increase, will only receive the cost of living increase effective July 1, 1999.

With no further business, the meeting was adjourned.